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APPLICATION NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,003	12/12/2003	Rodney Carlton Burnett	AUS920010163US2	2307
7590	10/09/2007		EXAMINER	
Darcell Walker Suite 250 9301 Southwest Freeway Houston, TX 77074			TURCHEN, JAMES R	
		ART UNIT	PAPER NUMBER	
		2139		
		MAIL DATE	DELIVERY MODE	
		10/09/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/735,003	BURNETT, RODNEY CARLTON	
	Examiner James Turchen	Art Unit 2139	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 July 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 18-25 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 18-25 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

Claims 18-25 are pending. Claims 20-22 and 25 are amended.

### *Response to Arguments*

Applicant's arguments filed 07/06/2007 have been fully considered but they are not persuasive. The applicant claims constructing a file identifier for that file system object from said unique physical attribute and said file system object name. Duvall discloses the unique physical attribute and the name of the file system object, and the file identifier (directory entry) links the file name to the inode (which contains the physical location) (column 2, lines 16-45). In order to obtain the end result of linking the name to the physical address exists within Duvall, it is inherent that the file identifier is constructed.

### *Claim Objections*

Claim 25 is objected to because of the following informalities: Serial number number should be changed to serial number. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 21 recites the limitation "said file location number" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "that data structure" in the first entry. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 20 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Duvall.

Regarding claim 20;

Duvall discloses the method of claim 19 wherein the step of obtaining a unique physical attribute comprises the step of retrieving a serial number for a file location where the requested file system resource resides (column 2 lines 1-14, the inode is a serial number for the file information, it also contains a pointer to the physical location).

Regarding claim 21:

Duvall discloses the method of claim 20 wherein said file location can be retrieved from an inode or vnode index or from a serial number generated using a programming interface (column 2 lines 1-14, inodes are inherently referenced by an inode number (serial number) and are indexed by their number in a table).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duvall as applied to claim 21 above, and further in view of Sakurai

Regarding claim 22:

Duvall et al. discloses the method as described in claim 1 wherein the step of obtaining the name of the file system further comprising opening the directory identified in that data structure and retrieving the file name of the resource out of the directory entry (column 2 lines 31-45 discloses directories and sub-directories; it is well known in a directory file system that the directory is opened and the file names are retrieved). Duvall et al. does not disclose reading the file location number and comparing the file location number with the file space number. Sakurai discloses reading the file location number and comparing vnode or inode number with the serial number for the file location (column 3 lines 19-38 disclose the location of a data block is with the data area, 150, in which the directory files and/or real files are stored is expressed by the correspondence between the index sections within the data management block and linkage data section; examiner interprets the index number 001 to be equivalent to the block 001 of storage, index 002 to block 002, etc.). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the method of Duvall with the method of Sakurai in order to allow for reorganization of the directories or file structure through a simpler operation (Sakurai, column 1 lines 31-34).

Regarding claim 23:

Duvall et al. and Sakurai disclose the method as described in claim 22 wherein said file identifier construction step comprises placing the index at the beginning of the

file of bytes that will be the file identifier and appending the file name to the file of bytes (Figure 2, Sakurai shows a row (File ID) with the name of a file and the index number; the index number could be placed at the beginning of the sequence of bytes that make up the file ID).

Regarding claim 24:

Duvall et al. and Sakurai disclose the method as described in claim 22 further comprising after said comparing step retrieving the next entry in the directory when the said comparison is not equal, determining if this entry is the last entry, and proceeding to read said entry, when said entry is not the last entry (Figure 4, Sakurai shows the directory system with each directory having a list of items within the directory; it is inherent to scan through each entry in the list when outputting all the contents of a directory).

Regarding claim 25:

Duvall et al. and Sakurai disclose the method as described in claim 24 further comprising the step of returning no file identifier when no directory entry file serial number number equals the index file space number (Sakurai, Figure 4, it is inherent to return no file identifier if the file does not exist).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

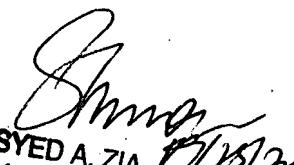
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Turchen whose telephone number is 571-270-1378. The examiner can normally be reached on MTWRF 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

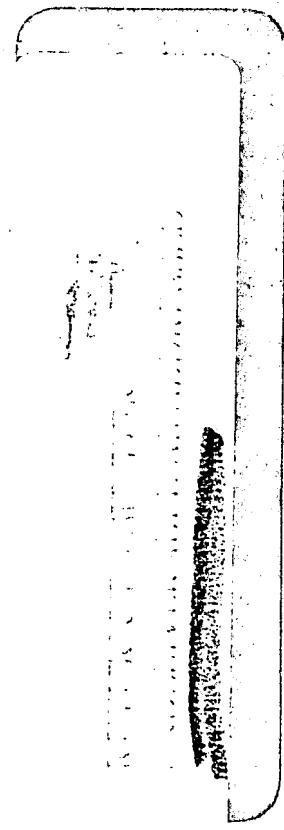
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